IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 501 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE D.H.WAGHELA Sd/-

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ? **1 to 5 NO**

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KARSHANBHAI BEHMAJI VANZARA & 4 - Applicant(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR BB NAIK for Applicant(s) : 1 - 5.
MR LB DABHI ADDL PUBLIC PROSECUTOR for Respondent(s) : 1,
MR MEHUL H RATHOD for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE D.H.WAGHELA

Date : 09/10/2007

ORAL JUDGMENT :

1. Rule. Learned counsel Mr.Rathod, appearing for respondent No.2, and learned A.P.P. Mr.Dabhi, appearing for respondent No.1, waive service.

2. In the facts and circumstances and on broad consensus and compromise among the original complainant and the accused persons, it was requested that the petition may be allowed and the impugned order dated 14.8.2007 of learned Additional Sessions Judge, Deesa in Criminal Misc. Applications No.109 of 2007 and 336 of 2007 may be set aside with the effect that the respondent will remain on bail which was cancelled by the impugned order. Learned A.P.P. having no objection, without entering into merits of the impugned order and the serious observations made therein, the petition is allowed by consent with the direction that the aforesaid impugned order shall stand set aside and the original order dated 25.2.2007 of learned Chief Judicial Magistrate, Deesa shall stand restored. Rule is made absolute accordingly with no order as to costs.

Sd/-

(D.H.Waghela, J.)

(KMG Thilake)